

Attorney Docket No.: 10084.000-US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pernell

Serial No.: 09/636,453

Group Art Unit: 1652

Filed: August 11, 2000

Examiner: Wong, L

For: Whey Protein Emulsion

AMENDMENT UNDER 37 C.F.R. 1.111

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Office Action mailed August 10, 2001, please amend the above-captioned application as follows (a marked up version pursuant to 37 C.F.R. 1.21 is enclosed):

## IN THE CLAIMS:

Please cancel claims 27 and 30 without prejudice or disclaimer.

Please substitute the following amended claims for pending claims having the same claim numbers:

- gib*  
*en*
1. (Amended.) A method for producing cheese, said method comprising
- a) subjecting a mixture of (i) cream and (ii) a whey protein preparation to a homogenization process;
  - b) mixing said homogenized mixture from said a) with a milk to provide a cheese milk; and
  - c) producing cheese from said cheese milk.

- cont*
11. (Amended.) A cheese product produced using a method as defined in claim 1.

- a2*
12. (Amended.) The method as defined in claim 1, wherein said homogenized mixture comprises a whey protein:fat ratio of at least about 2% by weight.